

# SENATE BILL 412

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By: **Senators Kramer, Eckardt, Klausmeier, Rosapepe, and Young**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement – Veterinary Care of Retired Law**  
3 **Enforcement K–9s Act**

4 FOR the purpose of requiring certain State and local law enforcement agencies to  
5 reimburse individuals who take possession of dogs formerly used in law enforcement  
6 work under certain circumstances for certain veterinary treatment; specifying that  
7 the reimbursement may be only for certain veterinary treatment and may not exceed  
8 a certain amount of money; authorizing certain State law enforcement agencies to  
9 accept public donations for the payment of certain veterinary expenses; authorizing  
10 certain State law enforcement agencies to accept certain donations; requiring that  
11 certain donations accepted by a State law enforcement agency be disbursed to the  
12 K–9 Compassionate Care Fund; authorizing certain local law enforcement agencies  
13 to establish a separate fund to accept public donations for the payment of certain  
14 veterinary expenses; establishing the K–9 Compassionate Care Fund as a special,  
15 nonlapsing fund; specifying the purpose of the Fund; requiring the Department of  
16 State Police to administer the Fund; requiring the State Treasurer to hold the Fund  
17 and the Comptroller to account for the Fund; specifying the contents of the Fund;  
18 specifying the purpose for which the Fund may be used; providing for the investment  
19 of money in and expenditures from the Fund; defining a certain term; providing for  
20 the application of this Act; and generally relating to dogs formerly used for law  
21 enforcement work.

22 BY adding to  
23 Article – Public Safety  
24 Section 3–522  
25 Annotated Code of Maryland  
26 (2018 Replacement Volume and 2019 Supplement)

27 BY repealing and reenacting, without amendments,  
28 Article – State Finance and Procurement  
29 Section 6–226(a)(2)(i)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2015 Replacement Volume and 2019 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – State Finance and Procurement  
5 Section 6–226(a)(2)(ii)121. and 122.  
6 Annotated Code of Maryland  
7 (2015 Replacement Volume and 2019 Supplement)

8 BY repealing and reenacting, with amendments,  
9 Article – State Finance and Procurement  
10 Section 6–226(a)(2)(ii)123.  
11 Annotated Code of Maryland  
12 (2015 Replacement Volume and 2019 Supplement)

13 Preamble

14 WHEREAS, Law enforcement dogs have become an integral part of many law  
15 enforcement efforts statewide, including suspect apprehension through tracking and  
16 searching, evidence location, drug and bomb detection, and search and rescue operations;  
17 and

18 WHEREAS, Law enforcement agencies agree that the use of law enforcement dogs  
19 is an extremely cost-effective means for crime control and that these dogs possess skills  
20 and abilities that frequently exceed the capabilities of existing technology; and

21 WHEREAS, The work of law enforcement dogs is often dangerous and can cause  
22 these dogs to incur injuries at a rate higher than the rate of injury that occurs with respect  
23 to nonworking dogs; and

24 WHEREAS, Law enforcement dogs provide significant contributions to the welfare  
25 and safety of residents of Maryland; now, therefore,

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
27 That the Laws of Maryland read as follows:

28 **Article – Public Safety**

29 **3–522.**

30 **(A) (1) THIS SECTION APPLIES ONLY TO PUBLICLY OWNED DOGS THAT**  
31 **ARE LICENSED UNDER § 2–313 OF THIS ARTICLE.**

32 **(2) A STATE OR LOCAL LAW ENFORCEMENT AGENCY THAT REMOVES**  
33 **FROM DUTY A DOG USED IN LAW ENFORCEMENT WORK SHALL REIMBURSE AN**  
34 **INDIVIDUAL WHO, UNDER A WRITTEN AGREEMENT WITH THE LAW ENFORCEMENT**

1 AGENCY, TAKES POSSESSION OF THE DOG ON OR AFTER OCTOBER 1, 2020, FOR  
2 REASONABLE AND NECESSARY VETERINARY TREATMENT PROVIDED TO THE DOG.

3 (3) REIMBURSEMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION:

4 (I) MAY BE ONLY FOR USUAL AND CUSTOMARY VETERINARY  
5 TREATMENT THAT IS NOT ATTRIBUTABLE TO ABUSE OR NEGLECT OF THE DOG AND  
6 IS VERIFIED BY WRITTEN RECEIPT; AND

7 (II) MAY NOT EXCEED \$2,500 DURING A CALENDAR YEAR AND  
8 \$10,000 OVER THE LIFE OF THE DOG.

9 (4) (I) 1. A STATE LAW ENFORCEMENT AGENCY MAY ACCEPT  
10 PUBLIC DONATIONS TO MEET THE REQUIREMENTS OF THIS SECTION.

11 2. THE REVENUE FROM DONATIONS BY THE PUBLIC  
12 SHALL BE DISTRIBUTED TO THE K-9 COMPASSIONATE CARE FUND, WHICH IS NOT  
13 SUBJECT TO APPROPRIATION BY THE GOVERNOR, TO BE USED ONLY TO MEET THE  
14 REQUIREMENTS OF THIS SECTION.

15 (II) A LOCAL LAW ENFORCEMENT AGENCY MAY ESTABLISH A  
16 SEPARATE FUND TO ACCEPT AND MANAGE PUBLIC DONATIONS IN ORDER TO MEET  
17 THE REQUIREMENTS OF THIS SECTION.

18 (B) (1) IN THIS SECTION, "FUND" MEANS THE K-9 COMPASSIONATE  
19 CARE FUND.

20 (2) THERE IS A K-9 COMPASSIONATE CARE FUND.

21 (3) THE PURPOSE OF THE FUND IS TO PROVIDE FOR VETERINARY  
22 CARE OF RETIRED STATE LAW ENFORCEMENT DOGS ADOPTED UNDER SUBSECTION  
23 (A) OF THIS SECTION.

24 (4) THE DEPARTMENT OF STATE POLICE SHALL ADMINISTER THE  
25 FUND.

26 (5) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
27 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

28 (II) THE STATE TREASURER SHALL HOLD THE FUND  
29 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

30 (6) THE FUND CONSISTS OF:

1 (I) PUBLIC DONATIONS ACCEPTED BY A STATE LAW  
2 ENFORCEMENT AGENCY UNDER SUBSECTION (A)(4) OF THIS SECTION;

3 (II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE  
4 FUND;

5 (III) INTEREST EARNINGS; AND

6 (IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED  
7 FOR THE BENEFIT OF THE FUND.

8 (7) THE FUND MAY BE USED ONLY FOR THE REIMBURSEMENT OF  
9 USUAL AND CUSTOMARY VETERINARY TREATMENT THAT IS NOT ATTRIBUTABLE TO  
10 ABUSE OR NEGLECT OF AN ADOPTED FORMER STATE LAW ENFORCEMENT DOG THAT  
11 IS VERIFIED BY WRITTEN RECEIPTS AND FOR ADMINISTRATIVE EXPENSES.

12 (8) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND  
13 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

14 (9) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO  
15 THE FUND.

16 (10) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN  
17 ACCORDANCE WITH THE STATE BUDGET.

18 (11) MONEY EXPENDED FROM THE FUND FOR THE VETERINARY CARE  
19 OF RETIRED STATE LAW ENFORCEMENT DOGS ADOPTED UNDER SUBSECTION (A) OF  
20 THIS SECTION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF  
21 FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR THE VETERINARY CARE  
22 OF RETIRED STATE LAW ENFORCEMENT DOGS.

### 23 Article – State Finance and Procurement

24 6–226.

25 (a) (2) (i) Notwithstanding any other provision of law, and unless  
26 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
27 terms of a gift or settlement agreement, net interest on all State money allocated by the  
28 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
29 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
30 Fund of the State.

31 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
32 to the following funds:

